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October 23, 2023

## Via Email

Christopher Carthy, Chairman
North Castle Planning Board
17 Bedford Road
Armonk, NY 10504

TOWN OF NORTH CASTLE
PLANNING DEPARTMENT

## Re: MRL 11 Whippoorwill LLC <br> 11 Whippoorwill Lane (107.04-1-5) <br> Site Plan Application

Chairman Carthy and Members of the Planning Board:

## I. INTRODUCTION

This firm, together with Alfonzetti Engineering, P.C. and Michael Piccirillo Architecture, represents MRL 11 Whippoorwill LLC ("Applicant") in connection with this Site Plan Application for the construction of a single-family home at the property located at 11 Whippoorwill Lane ("Property"). This application was last before your Board on August 7, 2023. At that meeting, your Board voted affirmatively to retain special counsel to address certain legal issues raised by the neighbors pertaining to the Applicant's ability to develop the Property. Special counsel has submitted a memorandum to your Board confirming that the Property is a legal non-conforming lot with a legal frontage on a mapped road and a right of access over Whippoorwill Lane and the strip of land adjacent to the Property, which is part of 9 Stone Hollow Way, and that the Applicant has the right to improve that strip of land as shown on the proposed plans. The purpose of this letter is to transmit revised plans for the proposed single-family house and to secure placement on the Planning Board November 13, 2023 agenda.

## II. DESCRIPTION OF SITE AND ZONING

The Property is located at 11 Whippoorwill Lane and is identified on the Tax Assessment Map of the Town of North Castle as 107.04-1-5. The site, which is currently vacant land, is approximately 1.28 acres and is located in the R-2A zoning district. While the minimum lot size in the R-2A zoning district is 2 acres, the Property was created by filed Map \# 3585, which was recorded in the offices of the Westchester County Clerk in 1930 after approval by the North Castle Planning Commission. Accordingly, the Property is considered a pre-existing legal nonconforming building lot. Further, after its undeniably legal creation, the Property was originally transferred by deed in 1932 and recorded at liber 3276 page 76 . At the time that this deed was recorded with the Westchester County Clerk, the Property met all the zoning requirements.

Several of the neighbors, and their Counsel, have raised certain issues regarding the Property's legal non-confirming status and rights of access to the site. To address these specious
claims, and in order to avoid unnecessary repetition, your Board is directed to Special Counsel's September 22, 2023 Memorandum. In summary, as stated above, that Memorandum concludes that the Property is a legal non-conforming lot with legal frontage on a mapped road and with a right of access over Whippoorwill Lane and a private strip of land, which is part of 9 Stone Hollow Way. Further, the Applicant clearly has the right to improve that portion of Stone Hollow Way to which it has access rights.

## III. Proposed Single-Family Home

The Applicant is proposing to develop the Property with a single-family home that is fully compliant with all zoning regulations. The proposed home is approximately 7,300 s.f., consisting of a first and second floor with garage. The maximum floor area permitted on the Property, based upon its size of 1.28 acres, is 8,468 s.f. The Applicant's proposal is roughly $13 \%$ beneath the maximum allowed by the zoning code. Additionally, the maximum allowable building coverage for the Property is $8 \%$. The Applicant's proposal has a development coverage of $6.5 \%$, which is below the maximum permitted by approximately $15 \%$. As you can see on the enclosed plans, the proposal is also fully compliant with all required setback and height requirements.

It must be noted that one of the major concerns identified by the neighbors was the proposed pool and accompanying 17 -foot-high retaining wall, which would have had significant visual impacts on the neighbor located at 11 Stone Hollow Way. In order to alleviate that issue, the Applicant has removed the proposed pool from its plans.

In support of this application, the Applicant is pleased to submit the following plans:

1. Site Plan, prepared by Alfonzetti Engineering P.C., dated June 12, 2023, last revised October 20, 2023;
2. Site Details, prepared by Alfonzetti Engineering, P.C. dated June 12, 2023, last revised October 20, 2023;
3. Gross Land Coverage Worksheet, prepared by Alfonzetti Engineering, P.C. dated October 20, 2023;
4. Basement/Foundation Plan, prepared by Michael Piccirillo Architecture, dated June 26, 2023, last revised August 22, 2023;
5. $1^{\text {st }}$ Floor Plan, prepared by Michael Piccirillo Architecture, dated June 26, 2023, last revised August 22, 2023;
6. Second Floor Plan, prepared by Michael Piccirillo Architecture, dated June 26, 2023, last revised August 22, 2023;
7. Roof Plan, prepared by Michael Piccirillo Architecture, dated June 26, 2023, last revised August 22, 2023;
8. Elevations, prepared by Michael Piccirillo Architecture, dated June 26, 2023, last revised August 22, 2023;
9. Elevations, prepared by Michael Piccirillo Architecture, dated June 26, 2023, last revised August 22, 2023; and
10. Floor Area Calculations Worksheet, prepared by Michael Piccirillo Architecture, dated May 16, 2023.

## IV. CONCLUSION

Please place this matter on the Planning Board's November 13, 2023 agenda for a continued discussion of the project and, if your Board deems appropriate, the scheduling of the required public hearing.

If you have any questions or concerns, please don't hesitate to contact me.

Very truly yours,
cc: Adam Kaufman, AICP
Roland Baroni, Jr., Esq.
John Kellard, P.E.
Serge Lebedev
Vladimir Levin, R.A.
Ralph Alfonzetti, P.E.

TOWN OF NORTH CASTLE

## WESTCHESTER COUNTY <br> 17 Bedford Road

Armonk, New York 10504-1898

PLANNING DEPARTMENT<br>Adam R. Kaufman, AICP<br>Director of Planning

Telephone: (914) 273-3542
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## GROSS LAND COVERAGE CALCULATIONS WORKSHEET

Application Name or Identifying Title:
11 Whippoorwill Lane
Date: 10/20/2023
Tax Map Designation or Proposed Lot No.: $\qquad$ 107.04-1-5

## Gross Lot Coverage

1. Total lot Area (Net Lot Area for Lots Created After 12/13/06):
2. Maximum permitted gross land coverage (per Section 355-26.C(1)(a)):
3. BONUS maximum gross land cover (per Section 355-26.C(1)(b)):

Distance principal home is beyond minimum front yard setback
$5.7 \times 10=$
$\qquad$ existing +4438.0 proposed $=$
6. Amount of lot area covered by accessory buildings:
$\qquad$ existing + $\qquad$
$\qquad$ proposed =
7. Amount of lot area covered by decks:
$\qquad$ existing + $\qquad$ proposed =
8. Amount of lot area covered by porches:
$\qquad$ existing + $\qquad$ proposed $=$
9. Amount of lot area covered by driveway, parking areas and walkways:
0 existing $+3,295.0$ proposed $=$
10. Amount of lot area covered by terraces:

$$
0 \quad \text { existing }+\underline{1,321.0} \text { proposed }=
$$

11. Amount of lot area covered by tennis court, pool and mechanical equip:
$\qquad$ existing + $\qquad$ proposed $=$
12. Amount of lot area covered by all other structures:
$\qquad$
0 ex proposed $=$
13. Proposed gross land coverage: Total of Lines $5-12=$

57 S.F.
10,518.86 S.F.

4,438.0 S.F.

$$
\frac{\text { 55,914 S.F. }}{\text { 10,461.86 S.F. }}
$$

.

0 S.F.

0 S.F.
3,295.0 S.F.
1,321.0 S.F.
0 S.F.
$\frac{90.0 \text { S.F. }}{\text { 9,144.0 S.F. }}$
If Line 13 is less than or equal to Line 4, your woporith the Town's maximum gross land coverage regulations and the project may proceed to the Residential priack-Review Codtone for review. If Line 13 is greater than Line 4 your proposal does not comply with the Town's regulatho






## WESTCHESTER COUNTY

17 Bedford Road
Armonk, New York 10504-1898

PLANNING DEPARTMENT
Adam R. Kaufman, AICP
Director of Planning

January 29, 2019
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## FLOOR AREA CALCULATIONS WORKSHEET

Application Name or Identifying Title:
11 WHIPPOORWILL LANE
Date: $10-23-23$
Tax Map Designation or Proposed Lot No.: 107.04-1-5

## Floor Area

1. Total Lot Area (Net Lot Area for Lots Created After 12/13/06):
2. Maximum permitted floor area (per Section 355-26.B(4)):

55,914
8.468
2.611
3. Amount of floor area contained within first floor:
$\qquad$ existing $+\underline{2.611}$ proposed $=$ _ $\qquad$
4. Amount of floor area contained within second floor:

0 $\qquad$ existing $+3,438$ proposed $=$

3,438
5. Amount of floor area contained within garage:
_ $\qquad$ existing +981 $\qquad$ proposed $=$
-
981
6. Amount of floor area contained within porches capable of being enclosed:
$\qquad$ existing +0 $\qquad$ proposed $=$

0 $\qquad$
7. Amount of floor area contained within basement (if applicable - see definition):

- $\qquad$ existing + NA $\qquad$ proposed $=$ $\qquad$

8. Amount of floor area contained within attic (if applicable - see definition):

- $\qquad$ existing +355 proposed $=$

355
9. Amount of floor area contained within all accessory buildings:

- $\qquad$ existing +0 $\qquad$ proposed $=$

0

7,385
10. Pro posed floor area: Total of Lines $3-9=$

If Line 10 is less than or equal to Line 2, your proposal complies with the Town's maximum floor area regulations







PROJECT NAME:
SINGLE FAMILY
HOUSE
PROJECT ADDRESS:
11 WHIPPORRWILL
NORTH CASTLE, NY

1 ROOF $1 / 4$ " $=1$ ' $-0 "$




